

REMARKS

Claims 1-27 are pending. Claims 1-2, 5-7, 10, 12, 13, and 16 have been amended. Claims 21-27 have been added. No new matter has been introduced. Reexamination and reconsideration of the application are respectfully requested.

In the December 8, 2003 Office Action, the Examiner rejected claims 1-4, 6-9, 11-15, 17, and 19 under 35 U.S.C. § 103(a) as being obvious over U.S. Patent No. 6,009,459 to Belfiore et al. (hereinafter the Belfiore reference), in view of U.S. Patent No. 6,631,357 to Perkowski (hereinafter the Perkowski reference). Claims 5, 10, 16, 18, and 20 were rejected under 35 U.S.C. § 103(a) as being obvious over the Belfiore reference, in view of the Perkowski reference, and further in view of U.S. Patent No. 6,422,523 to Siegel (hereinafter the Siegel reference). These rejections are respectfully traversed.

Embodiments of the present invention relate to a method of searching and reporting an incidence of at least one of a trademark, a tradename, a celebrity name, or a famous name in a Web page on the Internet. A user enters the at least one trademark, tradename, celebrity name, or famous name to be searched in the Web page on the Internet. A search string is automatically created including the at least one trademark, tradename, celebrity name, or famous name based on the at least one trademark, tradename, celebrity name, or famous name entered by the user. A URL address of the Web page on the Internet to be searched is received. Contents of the Web page of the URL address received are accessed and searched for matches in the contents of the Web page corresponding to the search string. The searched contents includes elements other than only a domain name. For example, the searched

contents includes at least two of the following portions of the Web page: a domain name, a meta tag, hidden text, visible text, titles, and images. Search results of identified matches corresponding to the search string in the contents of the Web page of the URL address are provided.

Independent claim 1, as amended, recites:

A method of searching and reporting an incidence of at least one of a trademark, a tradename, a celebrity name, or a famous name in a Web page on the Internet, comprising:

entering, by a user, the at least one trademark, tradename, celebrity name, or famous name to be searched in the Web page on the Internet;

automatically creating a search string including the at least one trademark, tradename, celebrity name, or famous name based on the at least one trademark, tradename, celebrity name, or famous name entered by the user;

receiving a URL address of the Web page on the Internet to be searched;

accessing and searching contents of the Web page of the URL address received for matches in the contents of the Web page corresponding to the search string, wherein the searched contents includes elements other than only a domain name; and

providing search results of identified matches in the contents of the Web page corresponding to the search string, wherein the **search results are extracted from the Web page, categorized, and formatted in a report**, each category including at least one character string corresponding to a number of occurrences of the identified matches within the category, the category selected from the group consisting of a meta-tag, a hidden text, a text, a title, a hyperlink, and an image text, and wherein the report

displays the at least one character string.

The Examiner rejected claims 1-4, 6-9, 11-15, 17, and 19 under 35 U.S.C. § 103(a) as being obvious over the Belfiore reference, in view of the Perkowski reference.

In so doing the Examiner stated “with respect to claim 2, Belfiore discloses wherein the search results are broken down into a number and identity of the identified matches within a category selected from the group consisting of a meta-tag, a hidden text, a text, a title, a hyperlink, and an image text (HTML document or meta tag of the HTML and hyperlinks: see fig. 9 and col. 7, lines 6-50).”

The Belfiore reference does not disclose, teach, or suggest the method specified in independent claim 1, as amended. Unlike the method specified in independent claim 1, as amended, the Belfiore reference does not show that “the **search results are extracted from the Web page, categorized, and formatted in a report**, each category including at least one character string corresponding to a number of occurrences of the identified matches within the category, the category selected from the group consisting of a meta-tag, a hidden text, a text, a title, a hyperlink, and an image text, and wherein the report **displays** the at least one character string.”

The Belfiore reference states “specifically, the web page may be opened to **highlight search terms** within the web page. The web browser 42 then displays the altered HTML document for the web page in the client area 82 of the web browser window 80 (step 110 in FIG. 8B).” (Col. 7, lines 24-28). The Belfiore reference also states “the script causes the web page to be opened (step 114 in FIG. 9). The web page is then searched to locate the search terms that were passed to the search engine (step 116 in FIG. 9). The **search terms are highlighted** within the HTML

document for the web page (step 118 in FIG. 9)." (Col. 7, lines 43-47). At most, the Belfiore reference teaches that the search terms are **highlighted** within the HTML document for the web page. No mention is made of extracting the search results from the Web page, categorizing, and formatting the results in a report format. The Belfiore reference does not show that "the **search results are extracted from the Web page, categorized, and formatted in a report**, each category including at least one character string corresponding to a number of occurrences of the identified matches within the category, the category selected from the group consisting of a meta-tag, a hidden text, a text, a title, a hyperlink, and an image text, and wherein the report **displays** the at least one character string."

Neither the Perkowski reference or the Siegel reference make up for the deficiencies of the Belfiore reference. Specifically, the Perkowski reference or the Siegel reference do not show that "the **search results are extracted from the Web page, categorized, and formatted in a report**, each category including at least one character string corresponding to a number of occurrences of the identified matches within the category, the category selected from the group consisting of a meta-tag, a hidden text, a text, a title, a hyperlink, and an image text, and wherein the report **displays** the at least one character string."

The present invention is an improvement over the prior art in that the method provides for the generation of a report that displays in a user-friendly format the number of occurrences of the identified matches of a mark found in a Web page. The advantage provided by the report is that it allows a user to readily discern the unauthorized use of a mark based on the number of occurrences of the mark within a

specified and displayed category. For example, when a user views a display of the report, if a mark occurs ten times within a meta-tag (the number 10 is displayed under a meta-tag heading in the report) and does not appear at all within the text (the number 0 is displayed under a text heading in the report), this may be an indication of an unauthorized use of the mark in a meta-tag of a Web site to divert traffic that was intended to go to an authorized Web site using the mark.

Neither the Belfiore reference, the Perkowski reference, or the Siegel reference teaches such a user-friendly report. In particular, the Belfiore reference only teaches that the search terms are **highlighted** within the HTML document for the web page. Therefore, it would be difficult for a user to make a determination as to the unauthorized use of a mark by looking strictly at the HTML document.

Accordingly, Applicants respectfully submit that independent claim 1, as amended, distinguishes over the above-cited references. Claims 2-4, and 17 depend directly from independent claim 1, as amended. Therefore, Applicants respectfully submit that claims 2-4, and 17 distinguish over the above-cited references for the same reasons as set forth above with respect to independent claim 1, as amended.

Claims 5, 10, 16, 18, and 20 were rejected under 35 U.S.C. § 103(a) as being obvious over the Belfiore reference, in view of the Perkowski reference, and further in view of the Siegel reference.

Independent claims 5, 6, 10, 12, and 16, as amended, recite limitations similar to independent claim 1, as amended. Specifically, claims 5, 6, 10, 12, and 16, as amended, recite “the **search results are extracted from the Web page, categorized, and formatted in a report**, each category including at least one character string

corresponding to a number of occurrences of the identified matches within the category, the category selected from the group consisting of a meta-tag, a hidden text, a text, a title, a hyperlink, and an image text, and wherein the report **displays** the at least one character string." Therefore, Applicants respectfully submit that claims 5, 6, 10, 12, and 16, as amended, distinguish over the above-cited references for the same reasons as set forth above with respect to independent claim 1, as amended. Claims 18, 7-9 and 19, 11, 13-15 and 20 depend directly, or indirectly, from amended independent claims 5, 6, 10, 12, and 16, respectively. Therefore, Applicants respectfully submits that claims 18, 7-9 and 19, 11, 13-15 and 20 distinguish over the above-cited references for the same reasons as set forth above with respect to independent claim 1, as amended.

Applicants have added new dependent claims 21-27 to further define the invention.

///

///

///

///

///

///

///

///

///

///

///

Applicants believe that the foregoing amendments place the application in condition for allowance, and a favorable action is respectfully requested. If for any reason the Examiner finds the application other than in condition for allowance, the Examiner is requested to call either of the undersigned attorneys at the Los Angeles telephone number (213) 488-7100 to discuss the steps necessary for placing the application in condition for allowance should the Examiner believe that such a telephone conference would advance prosecution of the application.

Respectfully submitted,

PILLSBURY WINTHROP LLP

Date: May 10, 2004

By: 

Roger R. Wise
Registration No. 31,204
Attorney For Applicant

725 South Figueroa Street, Suite 2800
Los Angeles, CA 90017-5406
Telephone: (213) 488-7100
Facsimile: (213) 629-1033